

**Amendments to the Specification:**

Please amend the specification as follows:

On page 5, please replace the paragraph that starts on line 6 with the word "The" and ends on line 21 with the word "end" with the following amended paragraph:

The construction of the open type disposable diaper 20 and its shape are diversified as is well known from various literatures. The disposable diaper 20 generally comprises an inner sheet 21 made of a liquid permeable inner material (non-woven fabric, for example), a liquid impermeable back sheet 22 put on the outside of the inner decoration sheet 21 in such a manner as to wrap the sheet 21, and a liquid absorbing material (not shown) sandwiched between the inner sheet 21 and the back sheet 22, as illustrated. A mechanical fastener (female type) 7 is fitted to a front surface portion (first waist portion) 23 of the back sheet 22 of the diaper 20. A fastening element 10 according to the invention is fitted to a second waist portion 24 on the back sheet 22 of the diaper 20 that forms the front and the back in cooperation with the first waist portion 23 when the diaper is put on a wearer of the diaper. According to the invention, the fastening element 10 comprises a fastening member (male type mechanical fastener in the illustrated example) 2 and an extensible member 8 that can be extended and contracted freely. The distal end of the fastening element 10 is anchored to another fastening member (female type mechanical fastener in the illustrated example) 7 that is used as a pair with the fastening member 2. This distal end is a free end.